IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl.M. No.10577-M of 2007

Date of Decision: 3.5.2007

Bachan Singh and others.

....Petitioners.

Versus

The State of Punjab.

...Respondent.

And

Crl.M.No.26481-M of 2007

Daljit Singh

...Petitioner.

Versus

State of Punjab.

...Respondent.

Present:- Mr.Kanwaljit Singh Sr.Advocate
with Mr.Tajinder Bishoni, Advocate
for the petitioners Bachan Singh and others.

Mr.Girish Kumar, Advocate
for the petitioner-Daljit Singh.

Mr.IPS Sidhu, Sr.DAG Punjab.

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S.S.SARON, J.(ORAL)

This order will dispose of Crl.M. No.10577-M of 2007 and Crl.M.No.26481-M of 2007 as they arise out of the same occurrence and FIR. The petitioners in Crl.M. No.10577-M of 2007 except one Bachan Singh have been attributed simple injuries. The role attributed to the

petitioner No.2 does not find mentioned in the FIR. It is stated that the same has come in the statement of Mohinder Singh son of Karnail Singh recorded under Section 161 Cr.P.C. on 9.11.2006. The said injury on the left arm of Mohinder Singh is stated to be grievous. The case is of a cross version in which a fight ensued between two brothers namely Sawinder Singh and Bachan Singh. The offence under Section 326 IPC has been added later. The injury attributed to Baljinder Singh is on non-vital part. In the circumstances, the interim bail granted to the petitioners on 20.2.2007 is liable to be made absolute.

The role attributed to Daljit Singh, petitioner in Crl. Misc. No.26481-M of 2007 is that he gave a datar blow from its reverse side which landed on the shoulder of Bachan Singh, who is the petitioner No.1 in Crl.Misc. No.10577-M of 2007. The injury on the left shoulder of Bachan Singh has been opined to be simple in nature. Accordingly Daljit Singh son of Sawinder Singh is also entitled to pre arrest bail.

In the circumstances, the interim order dated 20.2.2007 passed in Crl. Misc. No.10577-M of 2007 is made absolute subject to the provisions of Section 438 Cr.P.C. and Daljit Singh, petitioner, in Crl. Misc. No.26481-M of 2007, in the event of his arrest, shall be admitted to bail to the satisfaction of Arresting/Investigating Officer. He shall join investigation as and when called. The bail shall be subject to the provisions of Section 438 Cr.P.C.

Both the criminal miscellaneous petitions stand disposed of.

(S.S.SARON)
JUDGE

May 3,2007
Reema